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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

IN RE:

Case No. 1:09-bk-14939

Michael Smith  
Ethel Blakey - Smith

Chapter 13

Judge Hopkins

Debtor(s)

MOTION THAT DEBTORS HAVE COMPLIED WITH SECTION 1302

Now come the Debtors, by and through counsel, and hereby moves this court for an order the Debtors and Counsel have complied with 11 USC Section 1302 (d)(1)(A)(i) to the best of their ability. Debtors advise the Court that they does not know the address of the Domestic Support obligee Carol Hyman - Smith. Debtors have personally attempted to locate the Recipient to no avail. Debtors and Debtor's counsel have both contacted Georgia Department of Job & Family Services, however, they will not release obligee's address. Debtors have made all possible attempts to secure an address on the obligee and have not been successful. Debtors have exhausted all resources.

Wherefore, Debtors request the Court issue and order that the plan can be confirmed; that Debtors have fulfilled their duty under 1302 (d)(1)(A)(i) and have no further obligation to notice the obligee.

Respectfully submitted;

/s/ David J. Hoff  
David J. Hoff OH-0083886  
Attorney for Debtor  
118 W. Fifth Street, Suite E  
Covington, KY 41011  
589-291-7213

NOTICE OF MOTION (20A Notice)

The Debtor has filed papers with the Court to have an order issued suspending payments into the Chapter 13 bankruptcy. **Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)** If you do not want the Court to grant such a order, or if you want the Court to consider your views on the motion, then on or before twenty (20) days following the date this notice was sent to you, you or your attorney must: File with the court a written response to the objection, explaining your position, at: Clerk of Court, U.S. Bankruptcy Court, Atrium Two, Suite 800, 221 East Fourth Street, Cincinnati, Ohio 45202. If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date described above. You must also mail a copy to the following parties: Dearfield, Krueer & Company, LLC, 118 W. Fifth Street, Suite E., Covington, KY 41011; Margaret A. Burks, Chapter 13 Trustee, 600 Vine Street, Suite 2200, Cincinnati, Ohio 45202; and the U.S. Trustee, 36 East Seventh Street, Suite 2030, Cincinnati, Ohio 45202. Additionally, you must attend the hearing on the objection to be scheduled by the Court by future notice. If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

CERTIFICATE OF SERVICE

The Undersigned hereby certifies that a copy of the foregoing has been duly served upon the parties as listed below in accordance with applicable Bankruptcy and Local Rules of Procedure by U.S. Mail or electronic service, if so permitted as to such party, sent this 19<sup>th</sup> day of November, 2009.

/s/ David J. Hoff  
David J. Hoff OH-0083886

Margaret A. Burks

Chapter 13 Trustee  
600 Vine Street, Suite 2200,  
Cincinnati, Ohio 45202

U.S. Trustee  
36 East Seventh Street, Suite 2030  
Cincinnati, Ohio 45202

Michael and Ethel Smith  
39 Citadel Drive  
Fairfield, OH 45014